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5 Attorney for Plaintiff
6 United States of America

7 UNITED STATES DISTRICT COURT
8 SOUTHERN DISTRICT OF CALIFORNIA

9 UNITED STATES OF AMERICA,) Criminal Case No. 09cr3134-W
10 Plaintiff,) PROTECTIVE ORDER
11 v.)
12 FRANCISCO JOEL)
13 MONTELONGO-MONTEON (4))
14 Defendant.)

15 Pursuant to Rule 16(d) of the Federal Rules of Criminal Procedure
16 pertaining to pretrial discovery, and to prevent premature disclosure
17 of evidence to potential targets, subjects, and witnesses of ongoing
18 investigations,

19 IT IS HEREBY ORDERED that the defendant, his counsel of record,
20 and the counsel's assistants, as hereafter defined, shall not disclose
21 the substance of any discovery material received from the Government
22 in the above-captioned matter, including all wiretap documents, to any
23 third party, unless such material is already a matter of public
24 record, without prior approval of this Court;

25 Pursuant to Rule 16(d) of the Federal Rules of Criminal
26 Procedure,
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FILED

10 JUL -6 PM 2:56

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY:

MTB
DEPUTY

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1 IT IS FURTHER ORDERED that the United States Attorney and the
2 Assistant United States Attorney assigned to this case (hereafter
3 collectively referred to as "the Government") and their assistants,
4 the defendant, his counsel and his assistants, shall not disclose the
5 substance of any discovery material produced to the defendant or
6 obtained by the Government from the defendant, unless such material
7 is already a matter of public record, to representatives of the media
8 or other third parties not involved in any way in the investigation
9 or prosecution of the case;

10 Except that nothing contained herein shall prevent the
11 Government, or the defendant or his counsel, from disclosing such
12 discovery material to any other attorneys working for the Government,
13 the defendant or his counsel, government agents (federal, state or
14 local), private investigators, experts, secretaries, law clerks,
15 paralegals, or any other person who is working for the Government or
16 the defendant and his counsel (collectively referred to as
17 "assistants") in the investigation or preparation of this case or,
18 with respect to the Government and its assistants only, in other
19 criminal investigations, without prior court order;

20 Further, nothing contained herein shall preclude the Government,
21 defendant or his counsel, or his respective assistants from conducting
22 a normal investigation of the facts of this case on behalf of the
23 Government or said defendant, or with respect to the Government and
24 its assistants only, from conducting an investigation of other
25 criminal activity, including interviewing witnesses disclosed by said
26 discovery materials, or from taking statements from witnesses
27 disclosed by said discovery materials, or from asking said witnesses
28 if they themselves have made prior statements to the Government that

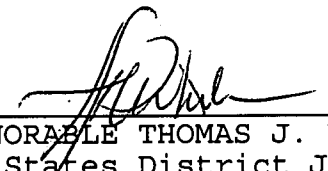
1 are disclosed in the discovery materials, and about the contents of
2 such statements. In connection with any such investigation, it shall
3 not be necessary that the Government, the defendant or his counsel,
4 or his respective assistants, obtain prior permission of this Court.

5 Should counsel withdraw or be disqualified from participation in
6 this case, any material received and any copies derived therefrom,
7 shall be returned to the Government within ten (10) days.

8 Defense counsel and the Government shall be required to
9 communicate the substance of this order and explain it to his client
10 and assistants before disclosing the substance of the discovery to his
11 client or assistants.


12 SO ORDERED.

13 DATED: 7/2/10

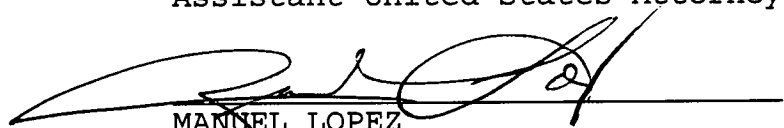
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16 THE HONORABLE THOMAS J. WHELAN
17 United States District Judge
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1 I consent to the entry of the attached protective order in the
2 case of United States v. Samuel Banuelos-Lopez, et al., Criminal Case
3 No. 09cr3134-W.

4 DATED: 6/21/10


5 SHERRI WALKER HOBSON
6 Assistant United States Attorney

7 DATED: _____


8 MANUEL LOPEZ
9 Attorney for defendant Francisco
10 Joel Montelongo-Monteon
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